

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

BRUCE ANCA,

Plaintiff,

vs.

GEMINI TRANSPORT, LLC, *et al.*,

Defendants.

Case No. 3:17-cv-86

Magistrate Judge Michael J. Newman
(Consent Case)

**ORDER AND ENTRY: (1) DISMISSING THIS CASE WITH PREJUDICE; AND (2)
TERMINATING THIS CASE ON THE COURT'S DOCKET**

The Court, having been advised that the above-captioned matter has been settled, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to all parties, provided that any of the parties may, upon good cause shown within forty-five (45) days, reopen the action if settlement is not consummated. Within forty-five (45) days, the parties may move to substitute this Order and Entry with a proposed dismissal entry agreed upon by the parties.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381-82 (1994), and incorporate appropriate language in any substituted judgment entry. The Court will retain jurisdiction to enforce the terms of the settlement, if necessary.

Based on the foregoing, the jury trial set to commence on December 2, 2019 is **VACATED**.

IT IS SO ORDERED.

Date: November 26, 2019

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge